

REMARKS

This Application has been carefully reviewed in light of the Office Action dated April 4, 2008 (the "*Office Action*"). In the *Office Action*, Claims 1-6 are pending and rejected. Applicants have cancelled Claims 1-6 and have added new Claims 7-26. For the following reasons, Applicants respectfully request favorable action in this case.

Section 101 Rejections

The Examiner rejects Claims 1-6 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Although Applicants believe that Claims 1-6 recited statutory subject matter as originally presented, Applicants have cancelled Claims 1-6 rendering the rejection of these Claims moot.

Applicants have added new Claims 7-26 and submit that new Claims 7-26 recite statutory subject matter under 35 U.S.C. § 101. According to the Federal Circuit, a method claim qualifies as patentable subject matter when it "produces a useful, concrete, [and] tangible result." *AT&T Corp. v. Excel Communications, Inc.*, 172 F.3d 1352, 1358, 50 U.S.P.Q.2d 1447 (Fed. Cir. 1999). Thus, producing a useful, concrete, and tangible result is the key to patentability according to *State Street* and other applicable case law. Applicant submits that independent Claims 7, 14, and 21, each produce a useful, concrete, and tangible result and, thus, are directed to statutory subject matter. One example of such a useful, concrete, and tangible result includes "automatically modifying the Business Service Projection object in response to receiving the modification to the first Business Service object," as recited in new independent Claim 7. Claims 14 and 21 recite analogous claim elements and also recite a useful, concrete, and tangible result.

For at least these reasons, Applicants respectfully submit that Claims 7-26 recite statutory subject matter under 35 U.S.C. § 101.

Section 112 Rejections

The Examiner rejects Claims 1-6 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants have cancelled Claims 1-6 rendering the rejection of these Claims moot. Applicants respectfully request that the rejections under 35 U.S.C. § 112, second paragraph be withdrawn.

Section 102 Rejections

The Examiner rejects Claims 1-6 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,554,183 issued to Sticha et al. ("*Sticha*"). Applicants have cancelled Claims 1-6 rendering the rejection of these Claims moot. However, Applicants have added new Claims 7-26. For the reasons discussed below, Applicants respectfully submit that Claims 7-26 are patentably distinguishable from *Sticha*.

Independent Claim 7, as added in this Response to Office Action, recites:

A method for use in a Web Services system comprising:
providing a data repository storing a hierarchy of objects;
storing at least one first Business Service object under a first Business Entity object associated with a first business entity, the first Business Service object identifying a business service that is provided by the first business entity;
storing a Business Service Projection object under a second Business Entity object associated with a second business entity, the Business Service Projection object identifying that the second business entity offers an interface to the business service provided by the first business entity;
receiving a modification to the first Business Service object; and
automatically modifying the Business Service Projection object in response to receiving the modification to the first Business Service object.

Whether considered alone or in combination with any other cited references, *Sticha* does not disclose, either expressly or inherently, each and every element of the claims.¹

¹ "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987); MPEP § 2131. In addition, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claims" and "[t]he elements must be arranged as required by the

Sticha discloses “systems and methods for the authorization and settlement of fleet maintenance and repairs.” (Abstract). Specifically, *Sticha* discloses:

Prior to performing any repair, the merchant calls (e.g., via the telephone) the IVR system to obtain authorization. Customer information is supplied via the IVR system, and the merchant and transaction are validated . . . [V]alidation data is supplied to the issuing bank pre-authorization system, and the acquiring bank system processes the transaction and supplies transaction data to the credit card system . . .

The issuing bank system validates, from the issuing bank pre-authorization system, that the repair/maintenance merchant class code (MCC) transaction is an approved provider . . . If all the issuing bank checks are passed, then the transaction is approved. After completion of an authorized repair, the acquiring bank credits the merchant for the repair and credits the fleet service provider (e.g. a negotiated volume rebate).

(Column 2, line 66 through Column 3, line 29). Thus, *Sticha* merely relates to a credit authorization system that requires an acquiring bank to provide information to the credit card company after an issuing bank approves the transaction. *Sticha* does not at all relate to a method for use in a Web Services system that includes “providing a data repository storing a hierarchy of objects,” as recited in Applicants’ independent Claim 7. Likewise, there is no disclosure in *Sticha* of “storing at least one first Business Service object under a first Business Entity object associated with a first business entity” where “the first Business Service object identif[ies] a business service that is provided by the first business entity” or of “storing a Business Service Projection object under a second Business Entity object associated with a second business entity” where “the Business Service Projection object identif[ies] that the second business entity offers an interface to the business service provided by the first business entity,” as recited in Claim 7. *Sticha* also does not disclose, teach, or suggest “receiving a modification to the first Business Service object” and “automatically modifying the Business Service Projection object in response to receiving the modification to the first Business Service object,” as recited in Claim 7. The recited claim elements are absent from the disclosure of *Sticha*.

claim.” *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989); *In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990); MPEP § 2131 (*emphasis added*).

For at least these reasons, Applicants respectfully request consideration and allowance of new independent Claim 7, together with Claims 8-13 that depend on Claim 7. For analogous reasons, Applicants also request consideration and allowance of new independent Claims 14 and 21, together with Claims 15-20 and 22-26 that depend on Claims 14 and 21, respectively.

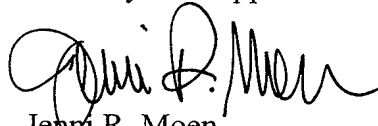
CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other apparent reasons, Applicants respectfully request full allowance of all pending Claims.

If the Examiner feels that a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicants stands ready to conduct such a conference at the convenience of the Examiner.

No fees are believed due; however, the Commissioner is hereby authorized to charge any fees or credits to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,
Attorneys for Applicants

A handwritten signature in black ink, appearing to read "Jenn R. Moen", written over the printed name.

Jenn R. Moen
Reg. No. 52,038
(214) 953-6809

Date: May 23, 2008

CORRESPONDENCE ADDRESS:

at Customer Number: **05073**